

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NATHAN RUTKOWSKI and MARTIN
HARPER, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

PHILADELPHIA ENERGY SOLUTIONS,
L.L.C. and PHILADELPHIA ENERGY
SOLUTIONS REFINING AND MARKETING,
L.L.C.,

Defendant.

Civil Action No. 2:19-cv-02849-MMB

JURY TRIAL DEMANDED

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to FED. R. CIV. P. 41(a)(1)(A)(i), Plaintiffs hereby voluntarily dismiss without prejudice all of their claims against Defendant Philadelphia Energy Solutions, L.L.C.

The second Defendant in this action, Philadelphia Energy Solutions Refining and Marketing, L.L.C., has filed for Chapter 11 Bankruptcy and is the subject of an adversary proceeding in the United States Bankruptcy Court for the District of Delaware. *See* Docket Entry No. 6.

Dated: August 6, 2019

Respectfully submitted,

By: /s/ Benjamin F. Johns
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